IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL REVISION APPLICATION NO.92 OF 2005

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders	**Court's or Judges orders**

M/s Loroy Collaco & Associates for the Applicant.
Ms Rajeshree Gadhvi, A.P.P. for the Respondent.

CORAM : A. S. OKA, J.
DATE : OCTOBER 04, 2005.

P.C.:

1. Heard the Advocate appearing for the Applicant and the learned A.P.P. for the State. It is not in dispute that remedy of filing a Revision Application under section 397 of the Code of Criminal Procedure, 1973 is available to the Applicant. Hence, this Revision Application under section 401 of the said Code of 1973 is not entertained.

2. Hence, Revision Application is rejected by keeping open the remedy of the Applicant to approach the Sessions Court by way of filing Revision Application under section

397 of the said Code of 1973. If Revision Application under section 397 of the said Code of 1973 is preferred by the Applicant before the Sessions Court, the concerned Court will consider the the fact that the Revision Application arises out of proceeding under section 138 of the Negotiable Instruments Act, 1881 and therefore, needs to be disposed of expeditiously.

JUDGE